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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,202	01/16/2001	James E. Mathews	03797.00090	6561

28319 7590 02/22/2005

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<i>Supplemental</i> <b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/759,202	MATHEWS ET AL.	
	Examiner	Art Unit	
	Jennifer T Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 08/27/04.
2. ☒ The allowed claim(s) is/are 1-9, 11-28 and 30-41.
3. ☒ The drawings filed on 16 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.  |

  
**XIAO WU**  
**PRIMARY EXAMINER**

### **SUPPLEMENTAL EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jordan Bodner on 02/15/05.

Claim 39 should be changed to -- In a computing system, a method for receiving a command input, comprising steps of: detecting a motion of a stylus with respect to an electronic writing surface, the stylus not physically contacting the electronic writing surface during the motion; recording positional information of the stylus with respect to the electronic writing surface in a buffer; determining, responsive to the motion stopping, whether the positional information recorded in the buffer corresponds to a first motion from a plurality of predefined motions; and performing a function associated with the first motion in response to the [the] positional information corresponding to the first motion, wherein the buffer includes positional information corresponding to a starting point and an ending point, and wherein the step of determining whether positional information recorded in the buffer corresponds to the first motion is based on a relative position of the starting point with respect to the ending point.--.

Claim 41 should be changed to -- In a computing system, a method for receiving a command input, comprising steps of: detecting a motion of a stylus with respect to an electronic writing surface, the stylus not physically contacting the electronic writing surface during the motion; recording positional information of the stylus with respect to the electronic writing

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surface in a buffer; detecting an end of motion event after the step of detecting the motion; determining, responsive to the end of motion event, whether the positional information recorded in the buffer corresponds to a first motion from a plurality of predefined motions; and performing a function associated with the first motion in response to the motion of the stylus corresponding to the first motions, wherein the buffer includes positional information corresponding to a starting point and an ending point, and wherein the step of determining whether positional information recorded in the buffer corresponds to the first motion is based on a relative position of the starting point with respect to the ending point.--.


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T Nguyen whose telephone number is 703-305-3225.

The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edouard Patrick can be reached on 703-308-6725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JNguyen  
02/18/2005

  
**XIAO WU**  
**PRIMARY EXAMINER**